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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,047	08/28/2001	Umair A. Khan	CLICP008	7341
28875	7590	10/23/2007	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			LIVERSEDGE, JENNIFER L	
			ART UNIT	PAPER NUMBER
			3692	
			MAIL DATE	DELIVERY MODE
			10/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/942,047

Applicant(s)

KHAN ET AL.

Examiner

Jennifer Liversedge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-16 and 18-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-16 and 18-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/23/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/942,047 filed on August 23, 2007.

The amendment contains original claims: 6, 11-13, 15, 21, 26-28 and 30.

The amendment contains previously presented claims: 10, 25, 32-40 and 42.

The amendment contains amended claims: 1, 3-5, 7-9, 14, 16, 18-20, 22-24, 29, 31 and 41.

Claims 2, 17 have been canceled.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-16 and 18-42 are rejected under 35 U.S.C. 102(b) as being anticipated by "Information Gathering in the World Wide Web: The W3QL Query Language and the W3QS System" by David Konopnicki and Oded Shmueli (further referred to as Konopnicki).

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Regarding claims 1, 3-16 and 18-42 Konopnicki discloses a method, computer program code on a readable medium and system for carrying out a computer-implemented transaction comprising:

Recording and storing in memory a transaction pattern reflecting a transaction wherein a user submits information and takes action and wherein the corresponding interacting system takes action, the user and system taking actions in response to each other's inputs (pages 372, 374- 376, 392, 396, 400-401);

Executing the transaction pattern to carry out the transaction to automatically carry out the transaction based the user request for the transaction by recognizing a state of a remote application and performing automatic navigation during the transaction and relaying content to user (pages 372, 374- 376, 392, 400-401); and

Wherein the transaction pattern includes a record of information submitted by a user, user actions taken by the user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results that are sent to the user (pages 372, 374-376, 392, 396, 400-401).

### ***Response to Arguments***

Applicant has argued the use of prior art as cited in the previous Office Action as improper. The prior art previously used has not been used in the present Office Action.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent 6,418,471 B1 to Shelton et al. discloses a method for recording and reproducing the browsing activities of an individual web browser. Within the Shelton disclosure is recording each of the actions taken by a user and a system, where those actions are taken in response to the actions and responses of the user and system respectively. The actions and responses are recorded and can then be replayed or reproduced at a future point in time.

US Patent 5,960,411 to Hartman et al. discloses a method by which a transaction can be completed while requiring a user to simply "click once". Based on the one click indicating a desire to make a purchase, the system of Hartman automatically completes all the required steps, both on behalf of the user and the system in order to complete the transaction without either the system or user being required to enter responses or actions. The responses and actions are automatically performed based on previously obtained and stored user and system responses to a purchase transaction.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

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A handwritten signature in black ink, appearing to read 'Kambiz Abdi', with a stylized flourish extending from the end.

Supervisory Patent Examiner

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